United Nations Convention on the Law of the Sea SPLOS/169

# Meeting of States Parties

Distr.: General
5 February 2008

Original: English

**Special Meeting**
New York, 30 January 2008

## Credentials of representatives to the Special Meeting of States Parties to the United Nations Convention on the Law of the Sea

### Report of the Credentials Committee

*Chairperson*: Ridas **Petkus** (Lithuania)

1. On 14 June 2007, the Seventeenth Meeting of States Parties to the United Nations Convention on the Law of the Sea appointed, pursuant to rule 14 of the Rules of Procedure for Meetings of States Parties (SPLOS/2/Rev.4), a Credentials Committee consisting of the following nine States parties: Algeria, Brazil, Germany, Guatemala, Lithuania, New Zealand, Nigeria, the Philippines and Sri Lanka.[1]

2. The Special Meeting of States Parties which was held on 30 January 2008 to elect a member of the International Tribunal for the Law of the Sea, to fill a vacancy that had occurred in the Tribunal, decided, for the purposes of conducting the business of the Special Meeting, to maintain the composition of the Credentials Committee as appointed by the Seventeenth Meeting.

3. The Committee held its meeting on 30 January 2008 under the chairmanship of Ridas Petkus (Lithuania).

4. The Committee had before it a memorandum by the Secretariat, dated 29 January 2008, on the status of credentials of representatives participating in the Special Meeting. The Secretary of the Committee made a statement supplementing the memorandum with regard to the inclusion of those credentials and communications received subsequent to the preparation of the memorandum.

5. As noted in paragraph 1 of the memorandum, as orally supplemented during the meeting, formal credentials issued by the Head of State or Government or by the Minister for Foreign Affairs or by a person authorized by either of them had been received by the Secretariat for the representatives of the following 66 States participating in the Special Meeting: Algeria, Argentina, Armenia, Austria, Bolivia, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Croatia, Czech Republic,

[1] See SPLOS/164, para. 11.

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Denmark, Djibouti, Egypt, Estonia, Fiji, Finland, France, Germany, Greece, Grenada, Guatemala, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lithuania, Madagascar, Malaysia, Maldives, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Mozambique, Myanmar, Namibia, New Zealand, Norway, Oman, Panama, Portugal, Republic of Korea, Russian Federation, Samoa, Serbia, Seychelles, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, the former Yugoslav Republic of Macedonia, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, United Kingdom of Great Britain and Northern Ireland, Yemen and Zambia.

6. As noted in paragraph 2 of the memorandum, as orally supplemented during the meeting, information concerning the appointment of representatives participating in the Special Meeting had been communicated by means of facsimile or in the form of letters or notes verbales from ministries, embassies, permanent missions to the United Nations or other government offices or authorities, or through local United Nations offices, by the following 68 States participating in the Special Meeting: Albania, Angola, Antigua and Barbuda, Australia, Barbados, Belarus, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Cape Verde, Cook Islands, Costa Rica, Cuba, Cyprus, Democratic Republic of the Congo, Dominica, Gabon, Gambia, Ghana, Guinea, Guinea Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Lebanon, Lesotho, Luxembourg, Malta, Moldova, Montenegro, Morocco, Nauru, Nepal, Netherlands, Nicaragua, Nigeria, Pakistan, Papua New Guinea, the Philippines, Poland, Qatar, Romania, Saint Kitts and Nevis, Saint Lucia, Senegal, Sierra Leone, Solomon Islands, Somalia, South Africa, Sudan, Suriname, Togo, Uganda, Ukraine, United Republic of Tanzania, Uruguay, Viet Nam and Zimbabwe.

7. The Chairperson proposed that the Committee accept the credentials of all the representatives mentioned in the memorandum by the Secretariat, supplemented by the additional information provided by the Secretary during the meeting of the Committee, on the understanding that formal credentials of the representatives referred to in paragraph 2 of the Secretariat's memorandum would be communicated to the Secretariat as soon as possible. The following draft resolution was proposed by the Chairperson for adoption by the Committee:

"*The Credentials Committee*,

"*Having examined* the credentials of the representatives to the Special Meeting of States Parties to the United Nations Convention on the Law of the Sea referred to in paragraphs 1 and 2 of the memorandum by the Secretariat dated 29 January 2008, supplemented by the additional information provided by the Secretariat during the meeting of the Credentials Committee,

"*Accepts* the credentials of the representatives concerned."

8. The draft resolution was adopted by the Committee without a vote.

9. Subsequently, the Chairperson proposed that the Committee recommend to the Special Meeting of States Parties the adoption of a draft resolution (see para. 11). The proposal was adopted without a vote.

10. In the light of the foregoing, the present report is submitted to the Special Meeting.

**Recommendation of the Credentials Committee**

11. The Credentials Committee recommends to the Special Meeting of States Parties the adoption of the following draft resolution:

**"Credentials of representatives to the Special Meeting of States Parties to the United Nations Convention on the Law of the Sea**

"*The Special Meeting of States Parties to the United Nations Convention on the Law of the Sea,*

"*Approves* the report of the Credentials Committee."

United Nations Convention on the Law of the Sea SPLOS/170

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**Special Meeting**
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## Report of the Special Meeting of States Parties

## I. Introduction

1. The Special Meeting of States Parties to the United Nations Convention on the Law of the Sea was held at Headquarters on 30 January 2008 to elect one member of the International Tribunal for the Law of the Sea, in accordance with article 4 of annex VI to the Convention (Statute of the Tribunal). The election was to fill, for the remainder of the term ending on 30 September 2011, the seat vacated by the resignation of Judge Guangjian Xu (China) on 15 August 2007. Pursuant to article 6, paragraph 1, of the Statute of the Tribunal, the date of the election was fixed by the President of the Tribunal after consultation with the States parties. The convening of the Meeting was endorsed by the General Assembly in its resolution 62/215 (para. 26).

2. The Meeting had before it the following documents: a note by the Registrar of the Tribunal on the election procedures (SPLOS/165); the list of candidates nominated by States Parties (SPLOS/166); and the curriculum vitae of a candidate nominated by the Government of China (SPLOS/167).

## II. Opening of the Special Meeting

3. Rosemary Banks (New Zealand), President of the Seventeenth Meeting of States Parties, opened the Special Meeting.

4. The Meeting observed a minute of silent prayer or meditation.

5. For the purposes of conducting its business, the Special Meeting decided to retain the composition of the Bureau, including the Presidency, as elected, and the composition of the Credentials Committee as appointed by the Seventeenth Meeting. In doing so, the Meeting followed the practice established by the first Special Meeting of States Parties, held in August 2003.

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## III. Adoption of the agenda and organization of work

6. The President introduced the provisional agenda (SPLOS/L.53). The Meeting adopted the agenda (SPLOS/168) and approved the organization of work, as outlined by the President.

## IV. Report of the Credentials Committee

7. The Credentials Committee held its meeting on 30 January 2008 under the Chairmanship of Ridas Petkus (Lithuania). Following that meeting, the Chairman of the Credentials Committee introduced the report of the Credentials Committee (SPLOS/169),[1] which was approved by the Special Meeting.

## V. Election of one member of the International Tribunal for the Law of the Sea

8. The President made a statement on the election procedures, recalling articles 2, 3, 4, and 6 of the Statute of the Tribunal, as well as rule 70 of the Rules of Procedure for Meetings of States Parties (SPLOS/2/Rev.4).

9. The election required one round of balloting during which the representatives of Chile, Germany and Tunisia acted as tellers.

10. Of the 137 ballots cast, with no invalid ballot and one abstention, a majority of 91 votes was required for the election, provided that such majority included a majority of the States parties (78, at the time of the election). In the first round of balloting, Zhiguo Gao received 136 votes and was thus elected for the remainder of his predecessor's term of nine years, which ends on 30 September 2011.

11. The President made a statement congratulating Zhiguo Gao on his election as a member of the International Tribunal for the Law of the Sea. The representative of China made a statement in which he expressed his Government's appreciation to States parties for their support.

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[1] In addition to the States listed in that report, three States (Bangladesh, India and Mauritania) sent official communications to the Secretariat.